

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

FREDDIE BRITO,

Plaintiff,

vs.

No. CIV 07-405 RB/LFG

ANTONY ELEBARIO, Administrator,  
Quay County Detention Center; WARREN  
FIELD, Assistant Administrator, Quay  
County Detention Center, T.J. RICH;  
RICKY PURCELL and Unknown Entities,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION  
AND DISMISSING ACTION WITHOUT PREJUDICE**

THIS MATTER is before the Court on the Court's Order to Show Cause and Plaintiff's Response thereto [Docs. 6, 7] and on the Magistrate Judge's Report and Recommended Disposition filed October 19, 2007 [Doc. 8].

No objections to the Magistrate Judge's Report and Recommendation were filed, and the time for doing so has expired. Plaintiff having failed to show cause why this case should not be dismissed without prejudice for failure to prosecute,

IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge is adopted by the Court;

IT IS FURTHER ORDERED that this action is dismissed without prejudice.



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UNITED STATES DISTRICT JUDGE